



SUPREME COURT OF ARIZONA

IN THE MATTER OF A MEMBER
OF THE STATE BAR OF ARIZONA,

ROBERT M. FRISBEE,
Bar No. 018779

RESPONDENT.

) Supreme Court
) No. SB-07-0196-D
)
) Disciplinary Commission
) No. 06-0923
)
)
)
)

JUDGMENT AND ORDER

This matter having come on for hearing before the Disciplinary Commission of the Supreme Court of Arizona, it having duly rendered its decision and there having been no discretionary review,

IT IS ORDERED, ADJUDGED AND DECREED that **ROBERT M. FRISBEE**, a member of the State Bar of Arizona, is hereby censured for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that **ROBERT M. FRISBEE** shall be placed on probation. Bar Counsel shall notify the Disciplinary Clerk of the date on which the probation begins. The terms of probation are as follows:

- 1) Respondent shall be placed on probation until such time as he completes Trust Account Ethics Enhancement Program ("TAEPP") and meets with the Law Office Management Assistance Program ("LOMAP") coordinator for up to a two hour session to assist with calendaring issues. Upon completion of TAEPP and the session with the LOMAP coordinator, the term of probation should be terminated.
- 2) Respondent shall pay \$6,103.10 in restitution to Robert Garcia during the probation period.
- 3) Respondent shall pay all costs incurred in these disciplinary proceedings.

The foregoing instrument is a full, true and correct copy of the original on file in this office.

ATTEST
Rachelle M. Resnick, Clerk of the Supreme Court
State of Arizona

By  Deputy

- 4) In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information to that effect, bar counsel shall file with the Hearing Officer a Notice of Non-Compliance, pursuant to Rule 60(a)5, Ariz.R.Sup.Ct. The Hearing Officer shall conduct a hearing within thirty days after receipt of said notice, to determine whether the terms of probation have been violated and if an additional sanction should be imposed. In the event there is an allegation that any of these terms have been violated, the burden of proof shall be on the State Bar of Arizona to prove non-compliance by clear and convincing evidence.

IT IS FURTHER ORDERED that **ROBERT M. FRISBEE** shall pay restitution in the following amounts to the following individual:

Richard W. Garcia \$6,103.10

IT IS FURTHER ORDERED that pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against **ROBERT M. FRISBEE** for costs and expenses of these proceedings in the amount of \$757.50, together with interest at the legal rate from the date of this judgment.

DATED this 17th day of December, 2007.



RACHELLE M. RESNICK
Clerk of the Court

TO:

Robert M. Frisbee, Respondent (Certified Mail, Return Receipt and Regular Mail)
James L. Burke, Bar Counsel
Daniel P. Beeks, Hearing Officer 7M
Nancy Swetnam, Acting Disciplinary Clerk (Cert. Copy)
Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona (Cert. Copy)
Cathy Catterson, Clerk, United States Court of Appeals for the Ninth Circuit (Cert. Copy)
Richard Weare, Clerk, United States District Court, District of Arizona (Cert. Copy)
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